

IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) A nutritious confectionery product comprising:
a mixture of at least 25% by weight of solid fat which consists essentially of
cocoa butter or a derivative thereof, vegetable fat, or a combination thereof;
at least 15% by weight of non-cereal vegetable solids finely ground to a size of
about 80 microns or less that are dispersed in a continuous fat phase of the solid fat which
serves as a matrix for the vegetable solids that sets to form a stable shape for the product and
to impart a confectionery texture to the product; and
from about 6 weight percent to 15 weight percent sugar to control hardness of
the solid fat and reduce water activity to about 0.65 or less,
wherein the ratio of non-cereal vegetable solids to fat is between about 1:2 to
about 3:1.
2. (Previously Amended) The confectionery product according to claim
1, wherein the fat is present in an amount of at least about 30% by weight of the product.
3. (Original) The confectionery product according to claim 1, wherein
the non-cereal vegetable solids comprise finely ground particles having a size of about 40
microns or less.
4. (Original) The confectionery product according to claim 1 wherein the
non-cereal vegetable solids are present in an amount ranging from about 30 to about 60% by
weight of the confectionery product.
5. (Original) The confectionery product according to claim 4, wherein
the non-cereal vegetable solids comprises at least one type of vegetable preparation selected
from the group consisting of dried vegetable pieces, dried vegetable powder, vegetable paste
or vegetable distillate, vegetable concentrate and mixtures thereof.
6. (Currently Amended) A nutritious confectionery product comprising:
a refined mixture of at least 25% by weight of solid fat which consists
essentially of cocoa butter or a derivative thereof, vegetable fat, or a combination thereof; and

at least 15% by weight of non-cereal vegetable solids finely ground to a size of about 80 microns or less that are dispersed in a continuous fat phase of the solid fat which serves as a matrix for the vegetable solids that sets to form a stable shape for the product and to impart a confectionery texture to the product, wherein the non-cereal vegetable solids comprises a vegetable selected from the group consisting of potatoes, beans, lentils, peas, asparagus, aubergine, basil, broccoli, Brussel sprout, cabbage, carrots, cauliflower, celery, chicory, cucumber, curly kale, fennel, garlic, gourd, leeks, lettuce, marrow, mushrooms, okra, onions, parsnip, peppers, plaintain, pumpkin, corn, radish, spinach, spring greens, ~~rutabaga~~, tomato, turnip, watercress, yam, zucchini, and mixtures thereof.

7. (Currently Amended) ~~The confectionery product according to claim 1.~~
A nutritious confectionery product comprising:

a mixture of at least 25% by weight of solid fat which consists essentially of cocoa butter or a derivative thereof, vegetable fat, or a combination thereof;

at least 15% by weight of non-cereal vegetable solids finely ground to a size of about 80 microns or less that are dispersed in a continuous fat phase of the solid fat which serves as a matrix for the vegetable solids that sets to form a stable shape for the product and to impart a confectionery texture to the product; and

from about 6 weight percent to 15 weight percent sugar to control hardness of the solid fat and reduce water activity to about 0.65 or less,

wherein the product is formed from a chocolate or equivalent thereof where the vegetable solids have replaced at least a portion of the cocoa solids, sugar solids, or milk solids, or a combination thereof in the chocolate.

8. (Previously Amended) The confectionery product according to claim 6, wherein the ratio of non-cereal vegetable solids to fat is between about 1:2 to about 3:1.

9. (Previously Amended) The confectionery product according to claim 6, further comprising from about 6 weight percent to 15 weight percent sugar to control hardness of the solid fat and wherein the fat imparts a melt-in-the-mouth sensation upon being placed in the mouth.

10. (Previously Amended) The confectionery product according to claim 1, wherein the fat consists of cocoa butter, cocoa butter equivalent, cocoa butter replacer, crystallizable vegetable fat, and mixtures thereof.

11. (Original) The confectionery product according to claim 1, further comprising at least one cereal-based component in an amount of up to about 40% by weight of the confectionery product.

12. (Original) The confectionery product according to claim 11, wherein the cereal-based component is selected from the group consisting of corn, oats, wheat, barley, rye, rice, millet malt and mixtures thereof.

13. (Previously Amended) The confectionery product according to claim 1, wherein the vegetable solids comprise a combination of vegetables.

14. (Original) The confectionery product according to claim 13, wherein the sugar is selected from the group consisting of glucose, lactose, fructose, sucrose, maltose, dextrose, polydextrose, maltodextrin, inverted sugar, a product of the enzymatic saccharification of starch and mixtures thereof.

15-28. (Canceled).

29. (Previously Added) The confectionery product according to claim 1, which is at least partly covered by a fat-based layer.

30. (Previously Added) The confectionery product according to claim 1, wherein the product is present as a center filling of a fat-based chocolate shell.

31. (Previously Added) The confectionery product according to claim 1, wherein the product comprises a center filling and a shell, each of which comprises non-cereal vegetable solids and fat.

32. (Previously Added) The confectionery product according to claim 1, further comprising a first further shaped component of an aerated mixture of a non-cereal vegetable component, a milk-based component and an optional sugar component, wherein the further shaped component is positioned adjacent the shaped mixture in a first set configuration.

33. (Previously Added) The confectionery product according to claim 32, wherein the first set configuration is at least partly covered by a chocolate layer.

34. (Previously Amended) The confectionery product according to claim 32, further comprising a second further shaped component comprising a non-cereal vegetable paste, wherein the second further shaped component is positioned adjacent the shaped mixture in a second set configuration.

35. (Previously Added) The confectionery product according to claim 34, wherein the second set configuration is at least partly covered by a chocolate layer.

36. (Previously Amended) The confectionery product according to claim 1, wherein the shape of the product is in the form of a bar, slab, rock, cluster or crisp.

37. (Previously Added) The confectionery product according to claim 1, wherein the stable shape is placed upon a wafer or biscuit.

38. (Previously Added) The confectionery product according to claim 37, wherein wafer or biscuit has the shape of a tube, boat or plane.

39. (Previously Amended) A nutritious confectionery product comprising:
a refined mixture of solid fat in an amount of at least 25% by weight, which consists essentially of cocoa butter or a derivative thereof, vegetable fat, or a combination thereof; and

about 30% to about 60% by weight of non-cereal vegetable solids comprising finely ground particles having a size of about 80 microns or less, wherein the vegetable solids are dispersed in a continuous fat phase of the solid fat which serves as a matrix wherein the ratio of non-cereal vegetable solids to fat being from about 1:2 to about 3:1;

at least one cereal-based component in an amount of up to about 40% by weight; and

sugar in an amount from about 6 weight percent to 15 weight percent sugar to control hardness of the solid fat and reduce water activity to about 0.65 or less, wherein the product sets to have a stable shape and a confectionery texture with the fat imparting snap, gloss, and a melt-in-the-mouth sensation when the product is placed in the mouth.

40. (Previously Amended) The confectionery product according to claim 39, wherein the non-cereal vegetable solids comprises at least one type of vegetable preparation selected from the group consisting of dried vegetable pieces, dried vegetable powder, vegetable paste or vegetable distillate, vegetable concentrate and mixtures thereof; the fat comprises cocoa butter, cocoa butter equivalent, cocoa butter replacer, crystallizable vegetable fat, and mixtures thereof; the cereal-based component is selected from the group consisting of corn, oats, wheat, barley, rye, rice, millet malt and mixtures thereof; and the sugar is selected from the group consisting of glucose, lactose, fructose, sucrose, maltose, dextrose, polydextrose, maltodextrin, inverted sugar, a product of the enzymatic saccharification of starch and mixtures thereof.

41. (Previously Added) A nutritious confectionery product comprising:
a refined mixture of at least 25% by weight of solid fat which consists essentially of cocoa butter or a derivative thereof, vegetable fat, or a combination thereof to impart snap, gloss, and a melt-in-the-mouth sensation upon being placed in a consumer's mouth; and

at least 15% by weight of non-cereal vegetable solids finely ground to a size of about 80 microns or less that are dispersed in a continuous fat phase of the solid fat which serves as a matrix for the vegetable solids that sets to form a stable shape for the product and to impart a confectionery texture to the product wherein the ratio of non-cereal vegetable solids to fat is from about 1:2 to about 3:1; and

from about 6 weight percent to 15 weight percent sugar to control hardness of the solid fat and reduce water activity to about 0.65 or less.

Please add the following new claims:

42. (New) The confectionery product of claim 39, wherein the product is formed from a chocolate or equivalent thereof where the vegetable solids have replaced at least a portion of the cocoa solids, sugar solids, or milk solids, or a combination thereof in the chocolate.

43. (New) The confectionery product of claim 41, wherein the product is formed from a chocolate or equivalent thereof where the vegetable solids have replaced at least a portion of the cocoa solids, sugar solids, or milk solids, or a combination thereof in the chocolate.

44. (New) The confectionery product of claim 1, which further comprises a flavoring material in an amount sufficient to mask the natural vegetable flavor.